



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux, *et al.*

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Application No.: 09/465,718

Group Art Unit: 1631

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Examiner: Borin, M.

For: APOLIPOPROTEIN A-I AGONISTS
AND THEIR USE TO TREAT
DYSLIPIDEMIC DISORDERS

Attorney Docket No.: 9196-018-999

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Jean-Louis Dasseux, Renate Sekul, Klaus Büttner, Isabelle Cornut, Günther Metz, and Jean Dufourcq (hereinafter "Owners"), represent that they are the owners of the above identified application and of U.S. Patent No. **6,573,239**.

The Owners hereby disclaim the terminal part of any patent granted on the present application which would extend beyond the expiration date of U.S. Patent No. **6,573,239**.

The Owners hereby agree that the above identified application shall be enforceable only for and during such period that the legal title to the corresponding patent shall be the same as the legal title to U.S. Patent No. **6,573,239**. This agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

In making the above disclaimer, the Inventors do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. **6,573,239** in the event that said patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

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The Commissioner is hereby authorized to charge the Statutory Disclaimer fee of \$110.00 required pursuant to 37 C.F.R.1.20(d) and any other required fee associated with the filing of this document to Jones Day Deposit Account No. 503013.

The undersigned is an attorney of record.

Respectfully submitted,

Date: March 25, 2004



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